

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JOSEPH HEIDEBUR,)	
)	
Petitioner,)	
)	
v.)	Case No. 4:02CV705 RWS
)	
JAMES PURKETT,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter is before the Court on Joseph Heidebur's petition for Writ of Habeas Corpus under 28 U.S.C. § 2254. Under 28 U.S.C. § 636(b), this matter was referred to United States Magistrate Terry I. Adelman, who filed his Report and Recommendation on January 6, 2006. It is Judge Adelman's recommendation that the petition be denied. Judge Adelman further recommends that no certificate of appealability be issued.

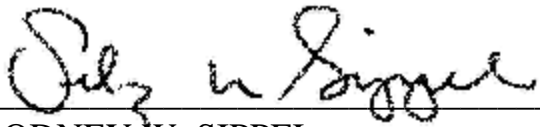
The parties were advised that they had eleven (11) days to file written objections to the Report and Recommendation. Neither party has filed an objection.

After careful consideration of the Report and Recommendation,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge [#22] is **SUSTAINED, ADOPTED AND INCORPORATED** herein.

IT IS FURTHER ORDERED that Petitioner's Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254 [#6] is **DENIED**.

IT IS FURTHER ORDERED that the Court will not issue a Certificate of Appealability.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 15th day of February, 2006.